

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<p>In re Application of Yves Dubaquie et al. Serial No.: 10/028,410 Filed: 19 December 2001 For: PROTEIN VARIANTS</p>	<p>Group Art Unit: Unassigned Examiner: Unassigned</p> <p><b>CERTIFICATION UNDER 37 CFR 1.10</b></p> <p>EV 073768195 US Express Mail Number December 9, 2002 : Date of Deposit</p> <p>I hereby certify that this correspondence, consisting of Property Rights Statement to DOE and/or NASA (42, U.S.C. 2182 and 2457 - Inventor(s) Employed by an Organization, and postcard, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Attention: Licensing and Review, Washington, D.C. 20231.</p> <p><i>Pamela Gavette</i> Pamela Gavette</p>
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**PROPERTY RIGHTS STATEMENT TO DOE AND/OR NASA (42 U.S.C. 2182 AND 2457) - INVENTOR(S) EMPLOYED BY AN ORGANIZATION**

Assistant Commissioner of Patents  
Washington, D.C. 20231

ATTN: Licensing and Review

Sir:

As a below-named inventor, I hereby declare that with respect to the invention in the above-identified application:

1. I am the sole inventor (if only one named is listed below) or We are joint inventors (if plural names are listed below).

**Yves Dubaquie  
Paul J. Fielder  
Henry B. Lowman  
Deborah L. Mortensen**

2. That I (we) made and conceived the invention described and claimed in patent application Serial No. 10/028,410 filed in the United States of America on 19 December 2001 titled **PROTEIN VARIANTS**.

3. That I (we) made and conceived this invention while employed by:

**GENENTECH, INC.  
1 DNA Way  
South San Francisco, CA 94080-4990**

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4. That the invention is related to the work I am (we are) employed to perform and was made within the scope of my (our) employment duties; That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of GENENTECH, INC. Other relevant facts are: (complete below any further unique facts which will establish the "full facts" surrounding the making and conception of the invention)

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5. That to the best of my (our) knowledge and belief (and/or) based upon information provided by Janet E. Hasak

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of GENENTECH, INC., Legal Department  
(check (a) and/or (b) below as appropriate)

- (a) X The invention was not made or conceived in the course of, or in connection with, or under the terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.  
-AND/OR-
- (b) \_\_\_\_ The invention was not made (conceived or first actually reduced to practice) under, nor is there any relationship of the invention to the performance of any work, under any contract of the National Aeronautics and Space Administration.

6. I (We) declare further that all statements made herein of my (our) own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that all such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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Inventor's signature



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YD 12/5/02

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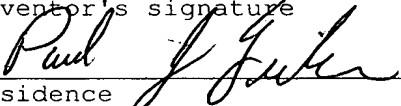
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